

REMARKS / ARGUMENTS

I. Disposition of Claims.

Claims 1-32 are pending in this application. Claim 1 has been allowed. Claims 2-12, 18, and 19 have been rejected. Claims 13-17 and 20-32 have been objected to as being dependent on a rejected base claim.

II. Preliminary Remarks Regarding the Status of Certain Rejections Instituted by the Examiner in the First Office Action Mailed March 8, 2005, But Not Maintained By the Examiner in the Second Office Action.

In the first Office Action mailed March 8, 2005 ("First Office Action"), the Examiner rejected claims 2-9 as failing to comply with the enablement requirement. (See First Office Action at 2.) Applicants responded to the First Office Action in their Response filed April 19, 2005 with arguments supporting Applicants' position that the subject claims were enabled. As the Examiner has not responded to Applicants' arguments, and does not appear to have maintained this rejection in the Second Office Action, Applicants believe this rejection to have been withdrawn.

III. Rejection of Claims 2-9 Under 35 U.S.C. § 112, Second Paragraph.

The Examiner has rejected claims 2-9 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. (Office Action at 2.) Applicants have amended claims 2-9 to clarify the invention, and submit that claims 2-9 satisfy the requirements of 35 U.S.C. § 112, second paragraph. Accordingly, Applicants respectfully request the withdrawal of the rejection of claims 2-9 under 35 U.S.C. § 112, second paragraph and issuance of a Notice of Allowance for these claims.

IV. Rejection of Claims 10-12 and 18-19 Under 35 U.S.C. § 102(b).

Claims 10-12, 18, and 19 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Saito et al., U.S. Pat. No. 3,965,686 ("*Saito*"). (Office Action at 2.) Applicants respectfully traverse, and submit that that the Examiner has not shown that *Saito* discloses every

limitation recited in Applicant's claims 10-12, 18, and 19 as required to anticipate the claims under 35 U.S.C. § 102(b). *See* MPEP § 2131.

A. Rejection of Claims 10-12.

With respect to claims 10-12, the examiner has stated:

Referring to claims 10-12, *Saito* discloses (fig. 1) an in situ filter capable of controlling proppants formed in a fracture comprising a network of fibrous material (2) of a composite fibrous sponge and a plurality of interspersed helical springs (4).

(Office Action at 2.) Applicants respectfully point out, however, that *Saito* does not disclose each limitation recited in Applicant's claims 10-12.

Saito concerns "a drain sheet material to be used for draining excessive pore water from soil." *Saito* col. 1, ll. 7-8. *Saito* teaches that this drain sheet material is placed in soil. *See Saito* col. 1, ll. 35 ("the drain sheet material is buried in any kind of soil"); col. 1, ll. 37-38 ("muddy soil"). Nowhere does *Saito* teach that the drain sheet material can control flowback of proppants formed in a fracture of a subterranean formation, as recited in Applicants' claims 10-12. Indeed, *Saito* does not even mention subterranean formation fractures, much less the control of proppant flowback from such fractures.

Accordingly, Applicants respectfully assert that claims 10-12 are novel over *Saito*. Applicants respectfully request withdrawal of the § 102(b) rejection as to claims 10-12, and further request the timely issuance of a Notice of Allowance for these claims.

B. Rejection of Claims 18 and 19.

With respect to claims 18 and 19, the examiner has stated:

Referring to claims 18-19, *Saito* a system comprises a plurality of compressed springs (4) encapsulated in a fibrous material (2) capable of being placed in a fracture.

(Office Action at 3.) Applicants respectfully point out, however, that *Saito* does not disclose every limitation recited in Applicant's claims 18 and 19.

Applicants' claim 18, from which claim 19 depends, provides "encapsulated *compressed* springs placed in the fracture adjacent to a wellbore formed within the subterranean formation." In contrast, *Saito* teaches "*elongated* springs," *Saito* col. 2, ll. 46-47 (emphasis added), and placement in soil. *Saito* col. 1, ll. 35 ("the drain sheet material is buried in any kind

of soil"); col. 1, ll. 37-38 ("muddy soil"). Nowhere does *Saito* teach compressed springs or placement in a fracture adjacent to a wellbore in a subterranean formation.

Accordingly, Applicants respectfully assert that claims 18 and 19 are novel over *Saito*. Applicant respectfully requests withdrawal of the § 102(b) rejection as to claims 18 and 19, and further requests the timely issuance of a Notice of Allowance for these claims.

SUMMARY

In light of the above remarks, Applicants respectfully request reconsideration and withdrawal of the outstanding objections and rejections. Applicants further submit that the application is now in condition for allowance, and earnestly solicit timely notice of the same. Moreover, since Applicants have submitted this Response within 2 months of the Final Office Action, should the Examiner not find the claims in condition for allowance, Applicants request that the Examiner issue as Advisory Action detailing the reasons for this conclusion. Should the Examiner have any questions, comments, or suggestions in furtherance of the prosecution of this application, the Examiner is invited to contact the attorney of record by telephone, facsimile, or electronic mail.

Applicants believe that there are no fees due in association with this filing of this Response. However, should the Commissioner deem that any fees are due, including any fees for extensions of time, Applicants respectfully request that the Commissioner accept this as a Petition Therefor, and direct that any additional fees be charged to Halliburton Energy Services, Inc. Deposit Account No. 08-0300.

Respectfully-submitted,

By: 

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